Senate File 214 - Introduced

SENATE FILE 214

BY ZAUN, CHELGREN, BEHN,

ROZENBOOM, SINCLAIR, and

SCHULTZ

A BILL FOR

- 1 An Act relating to unfunded federal mandates related to federal
- 2 health care reforms and including effective date provisions.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 1.19 Federal health care reforms
 2 unfunded federal mandates.
- 3 1. It is the intent of the general assembly to affirm the
- 4 power of this state under the Tenth Amendment to the United
- 5 States Constitution to exercise those powers reserved to the
- 6 states including but not limited to providing state-based
- 7 regulation of the health insurance market, providing aggressive
- 8 oversight of all aspects of this market, and enforcing consumer
- 9 protection as well as ensuring a local, responsive presence for
- 10 Iowa consumers.
- 11 2. If, on or after the effective date of this Act, the
- 12 United States Congress enacts, effectuates, or otherwise
- 13 imposes a mandate that requires the state to engage in any
- 14 new activity, to provide any new service, or to provide any
- 15 service beyond that required by any law enacted or requirement
- 16 otherwise imposed prior to the effective date of this Act
- 17 related to regulation of the health insurance market, and the
- 18 United States Congress does not appropriate moneys to fully
- 19 fund the cost of the mandate or other requirement, the state is
- 20 not required to perform the activity or provide the service and
- 21 the state shall not be subject to the imposition of any fines
- 22 or penalties for failure to comply with the federal mandate or
- 23 other requirement.
- 24 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
- 25 immediate importance, takes effect upon enactment.
- 26 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 29 This bill affirms the intent of the general assembly to
- 30 exercise those powers reserved to the states, including
- 31 but not limited to providing state-based regulation of the
- 32 health insurance market, providing aggressive oversight of
- 33 this market, and enforcing consumer protection and a local,
- 34 responsive presence for Iowa consumers.
- 35 The bill provides that if the United States Congress enacts,

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- 1 effectuates, or otherwise imposes a mandate that requires
- 2 the state to engage in any new activity or provide any new
- 3 or expanded service and does not appropriate moneys to fully
- 4 fund the cost of the mandate or other requirement, the state
- 5 is not required to perform the activity or provide the service
- 6 and shall not be subject to the imposition of any fines or
- 7 penalties for failure to do so. The bill is effective upon
- 8 enactment.